



*John T. Auberger*  
*Supervisor*

# **TOWN OF GREECE**

## **PLANNING BOARD MINUTES**

**MARCH 17, 2010**

**THE MEETING BEGAN AT 7:00 P.M.**

### **PRESENT**

Alvin I. Fisher, Jr., Chairman  
Alfred S. Ancello  
Christine R. Burke  
Grace L. Plouffe  
Stephen M. Savage  
William E. Selke  
Michael H. Sofia  
Christopher A. Schiano, Deputy Town Attorney  
Scott R. Copey, Clerk of the Planning Board  
John Gauthier, P.E., Associate Engineer  
Linda R. Lamb, Planning Board Secretary

### **ABSENT**

### **ADDITIONS, DELETIONS AND CONTINUANCES TO THE AGENDA**

### **ANNOUNCEMENTS**

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**PUBLIC HEARINGS**

None

**SITE PLAN REVIEW**

**Old Business**

**1. Applicant: Benderson Development Company, LLC**

Location: 3188-3196 Latta Road (near northwest corner of Latta Road and Long Pond Road)

Request: Site plan approval for a proposed retail/restaurant plaza (54,322± square feet), with related parking, utilities, grading, and landscaping on approximately 9.487 acres

Zoning District: BR (Business Restricted)

Mon. Co. Tax No.: 045.03-1-9 and -10

**Motion by Mr. Selke, seconded by Ms. Burke, to continue this application until the April 7, 2010, Planning Board meeting, as requested by the applicant.**

<b>VOTE:</b>	<b>Ancello</b>	<b>- yes</b>	<b>Savage</b>	<b>- yes</b>
	<b>Burke</b>	<b>- yes</b>	<b>Selke</b>	<b>- yes</b>
	<b>Plouffe</b>	<b>- yes</b>	<b>Sofia</b>	<b>- yes</b>
			<b>Fisher</b>	<b>- yes</b>

**MOTION CARRIED  
APPLICATION CONTINUED  
UNTIL APRIL 7, 2010, MEETING**

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**New Business**

None

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**SPECIAL PLANNING TOPIC**

**1. Applicant: DBI Properties, Inc.**

Location: Georgetown Subdivision and Apartments (generally, north of English Road in the vicinity of Flynn Road and North Avenue)

Request: Request for comments on modification of the 1992 Environmental Impact Statement to relieve the applicant from construction of the connection of Flynn Road to English Road at North Avenue

Zoning District: R1-E (Single-Family Residential), RMH (Multiple-Family Residential), and PL (Public Land)

Mon. Co. Tax No.: 058.02-1-8.21

**The following is a synopsis of the discussion pertaining to the above-referenced request:**

Mr. Copey presented the application.

Mr. Copey: This is a referral from the Town Board. The Town Board announced their intent to resume as lead agency for the coordinated environmental review under the State Environmental Quality Review Act (SEQRA). The developer has requested modification of the 1992 Environmental Impact Statement to be relieved from the connection of Flynn Road to English Road at North Avenue. As you can see on the aerial photo/map of the area, Pickering Drive extends northward from English Road and ends at the pond and Larkin Creek in the Georgetown subdivision. Flynn Road extends southward from Latta Road and ends at the pond and Larkin Creek. When the Town Board rezoned the subdivision, there was a SEQRA condition that the developer post \$95,000 for the possible future connection of those two roads with the construction of a bridge. That money has been sitting in a holding account, and the developer has requested their money back if the road is not going to be built. The Town spoke with the Monroe County Department of Transportation (MCDOT) which indicated that a connection was unlikely for any foreseeable future; there isn't momentum to do it. The developer has requested that the Town Board reopen SEQRA and relieve that condition. It is referred to the Planning Board, to determine if there is any objection to the Town Board resuming as the lead agency for this matter.

Mr. Fisher: We need to make a determination that we agree with the Town Board resuming as lead agency, and offer any comments that we might have on any specifics about the issue. Connecting the road would seem to have a tremendous impact on the residents on either side of the pond. To have that cut-through in a subdivision would be detrimental to all of the residents. We have added other arterial routes over time, which provide plenty of ways to move north and south in the town without that connection. I see many negatives, and not many positives.

Ms. Plouffe: I've been with this project since the inception. The Town Board was lead agency and they should continue.

Mr. Selke: It would be devastating to connect those roads. Many of the people living there have no idea that was discussed at one time. Does the Town have jurisdiction over the area?

Mr. Copey: The Town owns the land and it cannot be built on because of federal wetland.

Mr. Ancello: Are we making a recommendation that we don't want the road built?

Ms. Plouffe: We don't want to touch that pond.

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**Ms. Plouffe made the following motion, seconded by Mr. Sofia:**

The Planning Board recommends that the Town Board resume as lead agency for this action. The Planning Board further feels that the road connection is not necessary and that that would be the viewpoint of the residents in the area as well. The Planning Board would prefer that the area remain as is with no road connection.

<b>VOTE:</b>	<b>Ancello</b>	<b>- yes</b>	<b>Savage</b>	<b>- yes</b>
	<b>Burke</b>	<b>- yes</b>	<b>Selke</b>	<b>- yes</b>
	<b>Plouffe</b>	<b>- yes</b>	<b>Sofia</b>	<b>- yes</b>
			<b>Fisher</b>	<b>- yes</b>

**MOTION CARRIED**

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**2. Applicant: JC Fibers Rochester, Inc.**

Location: 1779 – 1801 Mount Read Boulevard (west side of Mount Read Boulevard at Driving Park Avenue)

Request: Request for comments on designation of Town Board as lead agency for the coordinated environmental review of this project, pursuant to State Environmental Quality Review Act (SEQRA)

Zoning District: IG (General Industrial)

Mon. Co. Tax No.: 090.03-1-2.1 (Town of Greece) and 090.62-1-1.1 (City of Rochester)

**The following is a synopsis of the discussion pertaining to the above-referenced request:**

Mr. Copey presented the application.

Mr. Copey: Displays a site map for the Board. JC Fibers is a recycling operation. They occupy what previously was Eastman Kodak Company's Building 514 on Mount Read Boulevard. They currently receive paper, cardboard, and consumer containers (e.g., cans, glass and plastic bottles), separate the materials, and transfer it. The operation is regulated by the New York State Department of Environmental Conservation (NYSDEC). JC Fibers obtained a special use permit from the Town Board for that operation and now wants to modify it to include receiving, sorting, and shipping of discarded construction materials (wood, paper, metal, plastic, masonry, glass) from both old structures and new construction sites. As part of that, they will request a variance from the Board of Zoning Appeals to store materials in trailers on the site – away from Mount Read Boulevard – until they are shipped. This is Town Board's declaration of their intent to become lead agency for the coordinated environmental review of the proposal. It's before the Board, if you have objection or comments.

Ms. Plouffe: The Town Board has requested to be lead agency? I think that they should be it.

Mr. Fisher: I feel that this is straightforward due to the fact that it is in an already very industrial area. When JC Fibers first proposed this new use, they were looking to store pallets of materials outdoors; the trailers are a step up.

**Mr. Selke made the following motion, seconded by Mr. Savage:**

The Planning Board recommends that the Town Board be the lead agency for this activity.

<b>VOTE:</b>	<b>Ancello</b>	<b>- yes</b>	<b>Savage</b>	<b>- yes</b>
	<b>Burke</b>	<b>- yes</b>	<b>Selke</b>	<b>- yes</b>
	<b>Plouffe</b>	<b>- yes</b>	<b>Sofia</b>	<b>- yes</b>
			<b>Fisher</b>	<b>- yes</b>

**MOTION CARRIED**

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**3. Applicant: Jane Cottom**

Location: 932 Long Pond Road  
Request: Re-approval of the minor subdivision plat approval for the Roberts subdivision, consisting of 2 lots on 5.6± acres  
Zoning District: R1-18 (Single-Family Residential)  
Mon. Co. Tax No.: 059.03-2-50.1

**The following is a synopsis of the discussion pertaining to the above-referenced request:**

Mr. Copey presented the application.

Mr. Copey: This is a two-lot subdivision that the Planning Board approved over two years ago, but the approval has expired.

Mr. Fisher: Has nothing changed and is it reasonable for us to re-approve?

Mr. Copey: Just re-approval with the same conditions.

**Mr. Selke made the following motion, seconded by Ms. Burke:**

WHEREAS, Jane Cottom (the "Applicant") has submitted a proposal to the Town of Greece Planning Board (the "Planning Board") for re-approval of preliminary and final plat, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at 932 Long Pond Road (the "Premises"); and

WHEREAS, the Planning Board makes the following findings:

1. Upon review of the Proposal, the Planning Board determined that the Proposal is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617 *et seq.*, the "SEQRA Regulations") (collectively, "SEQRA"), and that the Proposal constitutes an Unlisted action.
2. The Planning Board has considered the Proposal at a public meeting (the "Meeting") in the Greece Town Hall, 1 Vince Tofany Boulevard, at which time all persons and organizations in interest were heard.
3. Documentary, testimonial, and other evidence were presented at the Meeting relative to the Proposal for the Planning Board's consideration.
4. The Planning Board carefully has considered an Environmental Assessment Form and supplementary information prepared by the Applicant and the Applicant's representatives, including but not limited to supplemental maps, drawings, descriptions, analyses, reports, and reviews (collectively, the "Environmental Analysis").
5. The Planning Board carefully has considered additional information and comments that resulted from telephone conversations, meetings, or written correspondence from or with the Applicant and the Applicant's representatives.
6. The Planning Board carefully has considered information, recommendations, and comments that resulted from telephone conversations, meetings, or written correspondence from or with various involved and interested agencies, including but not limited to the Monroe County Department of Planning and Development, the

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Monroe County Department of Environmental Services, the Town of Greece Environmental Board, and the Town's own staff.

7. The Planning Board carefully has considered information, recommendations, and comments that resulted from telephone conversations, meetings, or written correspondence from or with nearby property owners, and all other comments submitted to the Planning Board as of this date.
8. The Environmental Analysis examined the relevant issues associated with the Proposal.
9. The Planning Board has met the procedural and substantive requirements of SEQRA.
10. The Planning Board carefully has considered each and every criterion for determining the potential significance of the Proposal upon the environment, as set forth in SEQRA.
11. The Planning Board carefully has considered (that is, has taken the required "hard look" at) the Proposal and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis.
12. The Planning Board concurs with the information and conclusions contained in the Environmental Analysis.
13. The Planning Board has made a careful, independent review of the Proposal and the Planning Board's determination is rational and supported by substantial evidence, as set forth herein.
14. To the maximum extent practicable, potential adverse environmental effects revealed in the environmental review process will be minimized or avoided by the incorporation of mitigation measures that were identified as practicable.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Planning Board's own initial concerns, and all relevant issues raised and recommendations offered by involved and interested agencies and the Town's own staff, the Planning Board determines that the Proposal will not have a significant adverse impact on the environment, which constitutes a negative declaration.

<b>VOTE:</b>	<b>Ancello</b>	<b>- yes</b>	<b>Savage</b>	<b>- yes</b>
	<b>Burke</b>	<b>- yes</b>	<b>Selke</b>	<b>- yes</b>
	<b>Plouffe</b>	<b>- absent</b>	<b>Sofia</b>	<b>- yes</b>
			<b>Fisher</b>	<b>- yes</b>

**MOTION CARRIED**  
**SEQRA DETERMINATION**  
**NEGATIVE DECLARATION**

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**Mr. Selke then made the following motion, seconded by Ms. Burke:**

The Planning Board authorizes the re-approval of the minor subdivision plat for the Roberts subdivision previously approved by the Planning Board on July 22, 2009.

<b>VOTE:</b>	<b>Ancello</b>	<b>- yes</b>	<b>Savage</b>	<b>- yes</b>
	<b>Burke</b>	<b>- yes</b>	<b>Selke</b>	<b>- yes</b>
	<b>Plouffe</b>	<b>- yes</b>	<b>Sofia</b>	<b>- yes</b>
			<b>Fisher</b>	<b>- yes</b>

**MOTION CARRIED**  
**APPLICATION RE-APPROVED**

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**4. Applicant: New York State Department of Transportation**

Location: Various locations throughout the Town of Greece

Request: Local Waterfront Revitalization Plan (LWRP) consistency determination for New York State Department of Transportation 2010 overhead sign structure and panel improvements.

**The following is a synopsis of the discussion pertaining to the above-referenced request:**

Mr. Copey presented the application.

Mr. Copey: This is much simpler than it appears. We received a letter from the New York State Department of Transportation (NYSDOT), which asked the Town if the NYSDOT's proposed maintenance, repair, and replacement of overhead signs is consistent with the Town's Local Waterfront Revitalization Program (LWRP). The LWRP has exemptions for certain things, one of which is routine maintenance. The NYSDOT letter describes this activity as routine maintenance. To add to that, there are no overhead signs in our LWRP areas. If you want to make a determination you can, but you don't have to; it is exempt.

Mr. Fisher: Because it has been brought to the Board, we should make a determination or note the exemption.

**Mr. Sofia made the following motion, seconded by Ms. Plouffe:**

The Planning Board will not make a recommendation on the New York State Department of Transportation request for a finding of consistency with the Town of Greece Local Waterfront Revitalization Program (LWRP) because there are no signs in our LWRP districts; and if there were, they would be exempt from the LWRP because the intended work on the signs is routine maintenance.

<b>VOTE:</b>	<b>Ancello</b>	<b>- yes</b>	<b>Savage</b>	<b>- yes</b>
	<b>Burke</b>	<b>- yes</b>	<b>Selke</b>	<b>- yes</b>
	<b>Plouffe</b>	<b>- yes</b>	<b>Sofia</b>	<b>- yes</b>
			<b>Fisher</b>	<b>- yes</b>

**MOTION CARRIED**

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**CODE COMPLIANCE**

**APPROVAL OF PLANNING BOARD MEETING MINUTES**

Motion by Mr. Savage, seconded by Mr. Ancello, to approve the minutes of the March 3, 2010, Planning Board Meeting.

<b>VOTE:</b>	<b>Ancello</b>	<b>- yes</b>	<b>Savage</b>	<b>- yes</b>
	<b>Burke</b>	<b>- yes</b>	<b>Selke</b>	<b>- yes</b>
	<b>Plouffe</b>	<b>- abstain</b>	<b>Sofia</b>	<b>- yes</b>
			<b>Fisher</b>	<b>- yes</b>

**MOTION CARRIED**  
**March 3, 2010**  
**MINUTES APPROVED**

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**ADJOURNMENT:** 7:30 p.m.

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_